

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JASON SANDERS,

Plaintiff,

v.

TODD W. COWELL and NATHAN )  
BIRKNER, )

Defendants. )

Case No. 3:13-cv-258-GPM-DGW

**ORDER**

**WILKERSON, Magistrate Judge:**

This matter is before the Court on the (Fourth) Motion for Recruitment of Counsel (Doc. 42), the Motion to Amend/Correct Complaint (Doc. 46), and the Motion for Subpoenas (Doc. 47), filed by Plaintiff, Jason Sanders.

This Court has twice denied Plaintiff's request for recruitment of counsel (two motions were combined) because Plaintiff appears competent to try this matter without the assistance of counsel. Plaintiff again seeks recruitment of counsel. The Motion is **DENIED** for the reasons set forth in previous Orders.

The Motion to Amend is **DENIED AS MOOT**. Plaintiff's Amended Complaint (which is identical to the proposed Amended Complaint) has been filed on September 25, 2013 (Doc. 37).

The Motion for Subpoenas is **GRANTED IN PART**. The Clerk must issue subpoenas on request of a party. FED.R.CIV.P. 45(a)(3). However, the Court has an obligation to protect persons subject to a subpoena and may preview subpoenas in order to ensure that the Court's subpoena power is not being abused. FED.R.CIV.P. 26(b)(2)(C), 45(c); *Marozsan v. United States*, 90 F.3d 1284, 1290 (7th Cir. 1996). The Clerk is therefore **DIRECTED** to provide

Plaintiff with the requested number (8) of subpoena forms, blank and unsigned. Plaintiff shall complete the forms and submit them to the Court for review. Plaintiff shall take appropriate steps to avoid imposing undue burden or expense on a person subject to subpoena and shall restrict his requests to information that is relevant to the claims or defenses.

**IT IS SO ORDERED.**

**DATED: October 29, 2013**

**DONALD G. WILKERSON**  
**United States Magistrate Judge**